

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office AUG 21 2002

Returned to applicant for correction _____

Corrected application filed _____

Map filed SEP 29 1978 under 35752

The applicant **Somersett Development Company Ltd.**, hereby makes application for permission to change the **Point of Diversion and Place of Use** of a portion of water heretofore appropriated under **Claims 165 of the Truckee River Decree**, said Decree entered by the District Court of the United States for Nevada in that certain action entitled, "The United States of America Plaintiff vs. Orr Water Ditch Company, et al., Defendants", in Equity Docket A-3.

1. The source of water is **the Truckee River.**
2. The amount of water to be changed **Claim 165 – 2.21 acre-feet; along with a pro-rata share of the diversion rate.**
3. The water to be used for **as Decreed.**
4. The water heretofore permitted for **as Decreed.**
5. The water is to be diverted at the following point **within the SW¼ of the SW¼ of Sec. 14, T19N, R18E, MDB&M from which the SW corner of said Section 14 bears South 58°30' West a distance of 1400 feet. Map filed with permit #35752.**
6. The existing permitted point of diversion is located within **The SE¼ of the NE¼ of Section 14, T19N, R18E, MDB&M, or at a point from which the Northwest corner of Section 13, T19N, R18E, MDB&M bears North 24°26' East a distance of 1,840 feet. Last Chance Ditch per Orr Ditch Decree.**
7. Proposed place of use **Portions of the following sections: S½ of Sec. 1, Sec. 2, Sec. 3, Sec. 10, Sec. 11, Sec. 12 and N½ of NE¼ of Sec. 13, T19N, R18E, MDBM and the SE¼ of the SE¼ Sec. 35, T20N, R18E, MDBM. See the map associated with change application number 66535.**
8. Existing place of use **Claim 165 – 0.49 acres in the SW¼ SW¼ of Section 14, T19N, R19E, MDB&M APN 014-151-02.**
9. Use will be from **As Decreed to as Decreed** of each year.
10. Use was permitted from **As Decreed to As Decreed** of each year.
11. Description of proposed works **Water will be diverted by existing motor pump, still well system and pipeline to place of use.**
12. Estimated cost of works **Completed.**
13. Estimated time required to construct works **Completed.**
14. Estimated time required to complete the application of water to beneficial use **1 year.**
15. Remarks: **For use in irrigation of golf course and landscaping.**

By **s/Mary C. June**
Mary C. June
500 Damonte Ranch Pkwy. #1056
Reno, NV 89511

Compared cmf/ cac lb/ sam

Protested _____

69090-T

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions.

This temporary permit to change the point of diversion and place of use of a portion of the waters of the Truckee River as heretofore granted under Claim 165, Truckee River Final Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water diverted from this source and the records submitted to the State Engineer and Federal Water Master on a quarterly basis within 15 days after the end of each calendar quarter.

Temporary permit 69090-T is limited to the irrigation of 0.49 acres within the described place of use.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **March 20, 2004** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

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The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.008 cubic feet per second, but not to exceed 2.21 acre-feet as decreed, but not to exceed a yearly duty of 4.5 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 21st day of March, A.D. 2003



State Engineer

EXPIRED
DATE MAR 20 2004 DR